

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)

v.)

Case No. 3:10-00260-22

Judge Haynes

ABDIFATAH SHARIF OMAR)

ORAL ARGUMENT/HEARING
REQUESTED

**RENEWED MOTION OF DEFENDANT ABDIFATAH SHARIF OMAR TO
RECONSIDER DETENTION ORDER AND REOPEN THE DETENTION HEARING
AND INCORPORATED MEMORANDUM OF LAW**

COMES NOW the Defendant, Abdifatah Sharif Omar, by and through his undersigned counsel, and pursuant to 18 U.S.C. § 3142(f), hereby moves the Court to reconsider the detention Order entered November 22, 2011 (Docket Entry 974) as well as the accompanying Memorandum Opinion (Docket Entry 973) affirming a prior detention order, Docket Entry 540, and once again reopen the detention hearing to consider significantly changed circumstances based on the results of the recent trial of codefendants, the Defendant's continuing post-indictment investigation of the allegations against him in the indictment, and the pendency of the government's interlocutory appeal to the Sixth Circuit which will unreasonably prolong the detention violating Defendant's substantive due process rights. In light of these changed circumstances, there exists ample and compelling justification for this Court to grant a *de novo* hearing on this motion. In support hereof, Defendant states as follows:

1. Defendant Abdifatah Sharif Omar, a 27-year old, Lawful Permanent United States